

# Notice of Allowability

Application No.

09/782,187

Examiner

Shawki S. Ismail

Applicant(s)

MOTOYAMA ET AL.

Art Unit

2155

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received on September 20, 2007.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10/30/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER

### **EXAMINERS AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and /or additions by unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it must be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Kurt Berger (reg. No. 51,461) on January 23, 2008.

3. The application has been amended as follows:

Page 1 of the specification has been amended to update the cross-reference to related application data that was originally omitted.

On page 1 of the specification at line No. 11, replace S/N 09/XXX,XXX with S/N 09/782,164.

On page 1 of the specification at line No. 14, replace S/N 09/XXX,XXX with S/N 09/782,064.

On page 1 of the specification at line No. 17, replace S/N 09/XXX,XXX with S/N 09/782,083.

On page 1 of the specification at line No. 19, replace each filed on \_\_\_\_\_, 2001 with each filed on February 14, 2001.

Claim 25 has been replaced with amended claim 25.

25. (Currently Amended) A program product for collecting information from a

target software application residing in a device unit, the program product comprising a computer readable medium embodying program instructions for causing a computer to perform the steps of:

obtaining, from the target software application through a software interface, by a monitoring software device residing in the device unit and having a plurality of monitoring components, event data of the target software application and a plurality of instructions regarding monitoring of the target software application, wherein the plurality of monitoring components includes an event logger; and

processing, by the monitoring software device, instructions sent from the target software application, wherein the instructions include instructions for sending previously stored event data of the target software application to a remote site, instructions for setting a data format and a communication protocol by which the previously stored event data is to be sent to the remote site, and instructions for storing the event data of the target software application in a local disk, wherein ~~to~~ the processing step includes the steps of accessing a shared system resource and executing a plurality of instructions included in the system resource,

wherein the device unit is one of an image printing device and an appliance.

### **REASONS FOR ALLOWANCE**

1. The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-28 are allowable over the prior art of record.

The examiner has found that the prior art of record does not teach or suggest or render obvious a system, method and computer program for collecting information regarding execution of a target software application residing in a device unit wherein event data of the target software application and instructions regarding monitoring of the target software application are received by a target application software interface for processing by the monitoring device wherein the monitoring software device is configured to process the instructions sent from the target software application, the instructions include instructions for sending previously stored event data of the target software application to a remote site, instructions for setting a data format and a communication protocol by which the previously stored event data is to be sent to the remote site, and instructions for storing the event data of the target software application in a local disk, as set forth in the specification and recited in independent claims 1, 13 and 25 .

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."


### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
December 4, 2007



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